

APPENDIX

Sent to Governor

(March 13, 1975)

S.C.R. 33

S.B. 85

THIRTY-SIXTH DAY
(Monday, March 17, 1975)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Sherman, Snelson, Traeger and Williams.

Absent-excused: Clower, Santiesteban and Schwartz.

A quorum was announced present.

The Reverend Bruno Schmidt, First United Methodist Church, Austin, Texas, offered the invocation as follows:

O God, our Creator, Who hast committed unto us the swift and solemn trust of life, we thank Thee for this another day which Thou hast given us. We thank Thee for our homes and our loved ones, and ask that Thou wouldst watch over them and guide them according to their needs.

As we enter upon the performance of our duties we come asking for that wisdom which comes from trusting in Thee and being faithful to the truth as we have come to see it, and be open to truth we have seen not. As each of us faces the issues which may confront us this day, may we possess courage coming from a sense of Thy presence. Though we may feel a depth of loneliness as we work our way through to solutions, may we have the confidence that with Thee we are never alone.

In this spirit, whether in this august body of the Senate or in our private lives, may we attempt to work for the best interests for all the people of our beloved State of Texas. Amen.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of Thursday, March 13, 1975, was dispensed with and the Journal was approved.

LEAVES OF ABSENCE

Senator Santiesteban was granted leave of absence for today on account of important business on motion of Senator Meier.

Senator Schwartz was granted leave of absence for today on account of important business on motion of Senator Mauzy.

Senator Clower was granted leave of absence for today on account of important business on motion of Senator Mauzy.

REPORTS OF STANDING COMMITTEE

Senator Creighton submitted the following reports for the Committee on Economic Development:

C.S.S.C.R. 31 (Read first time)

S.B. 157

S.B. 307

S.B. 306

S.B. 490

SENATE BILLS AND RESOLUTIONS ON FIRST READING

The following bills and resolutions, filed with the Secretary of the Senate on Friday, March 14, were introduced, read first time and referred to the Committee indicated:

By Senators McKnight, Mauzy, Moore, Gammage, Creighton, Traeger, Williams and Harris:

S.B. 761, A bill to be entitled An Act relating to public mass transportation; amending Articles 6663 and 6669, Revised Civil Statutes of Texas, 1925, as amended; repealing Chapter 615, Acts of the 61st Legislature, Regular Session, 1969 (Article 4413(34), Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Economic Development.

By Senators McKnight, Mauzy, Moore, Gammage, Creighton, Traeger, Williams and Harris:

S.B. 762, A bill to be entitled An Act relating to public mass transportation; adding Article 6.07a, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency.

To Committee on Economic Development.

By Senator Gammage:

S.B. 835, A bill to be entitled An Act amending Sections 57.108, 57.202, 57.208, 57.209, 57.211, 57.251, and 57.252, Water Code, by providing that contracts for drainage improvements may be awarded in sections; by providing that bond election petitions shall state the maximum rate of interest to be borne by the district's bonds; by providing for interest during construction on the bonds for not more than two years; by providing for the issuance of bonds in one or more installments; by providing for the fixing of terms and conditions for the district's bonds; by providing that bonds be approved by the Attorney General prior to delivery to the purchaser; by permitting the sale of bonds subsequent to approval at an election; by providing for compensation for persons selling bonds; by permitting the assessment of district property at a different percentage of its actual value than for state and county purposes; and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Schwartz:

S.B. 858, A bill to be entitled An Act relating to the creation, powers, duties, procedure, and limited duration of the Texas Land Resources Study Commission; and declaring an emergency.

To Committee on Natural Resources.

By Senator Traeger:

S.B. 859, A bill to be entitled An Act relating to the licensing of licensed state land surveyors as defined in this Act and the creation, administration, powers, duties and functions of the Board of Examiners of Licensed State Land Surveyors; providing a penalty; repealing Articles 5268 through 5282, Revised Civil Statutes of Texas, 1925; and declaring an emergency.

To Committee on State Affairs.

By Senator Aikin:

S.B. 860, A bill to be entitled An Act appropriating supplemental sums of money for the fiscal year ending August 31, 1975, to pay the additional cost of purchased utilities (non-transferable) at certain public institutions of higher education; and declaring an emergency.

To Committee on Finance.

By Senators Hance and McKnight:

S.B. 861, A bill to be entitled An Act providing for the Sam Rayburn Memorial Student Center; amending Chapter 100, Texas Education Code, by adding Section 100.41; and declaring an emergency.

To Committee on State Affairs.

By Senator Sherman:

S.B. 862, A bill to be entitled An Act relating to coal slurry corporations, granting to them the same powers and duties as gas, electric current and power corporations, including the power of eminent domain; amending Article 1435, Revised Civil Statutes of Texas, 1925; amending Section 3, Chapter III; Acts of the 32nd Legislature, Regular Session, 1911 (Article 1435, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Natural Resources.

By Senator Sherman:

S.B. 863, A bill to be entitled An Act relating to lien for the furnishing of care, maintenance or feed to domestic animals; amending Article 5502, Revised Civil Statutes of Texas, 1925; and declaring an emergency.

To Committee on Natural Resources.

By Senator Sherman:

S.B. 864, A bill to be entitled An Act relating to the creation of the 246th Judicial District, composed of Deaf Smith and Oldham counties; providing for a shorthand reporter and adult probation officer for the 246th Judicial District; reorganizing the 69th Judicial District; providing for the state to pay the salary and expenses of the Criminal District Attorney of Deaf Smith County to assist in the prosecution of cases in Oldham County; setting the minimum salary of the County Attorney of Oldham County and providing for its supplementation by the state; amending Subdivision 69, Article 199, Revised Civil Statutes of Texas, 1925, as amended; amending Subchapter C, Judicial Districts Act of 1969, as amended (Article 199a, Vernon's Texas Civil Statutes), by adding a Section 3.070; amending Chapter 34,

Acts of the 62nd Legislature, Regular Session, 1971 (Article 326k-64, Vernon's Texas Civil Statutes), by amending Section 7 and adding a new Section 7a; and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Clower:

S.B. 865, A bill to be entitled An Act relating to the authority of a Board of Adjustment to hear and determine initially the issue of discontinuance of a nonconforming use; amending Section 7(g), Chapter 283, Acts of the 40th Legislature, Regular Session, 1927, as amended (Article 1011g, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Clower:

S.B. 866, A bill to be entitled An Act providing authority for cities to extend ordinances governing development of land, building codes, electrical codes, plumbing codes and other ordinances governing the construction, alteration, or remodeling of structures, to extraterritorial jurisdiction; amending Section 4, Article I, Chapter 160, Acts of the 58th Legislature, Regular Session, 1963 (Article 970a, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Williams:

S.B. 867, A bill to be entitled An Act to amend Section 11, Chapter 88, Acts of the 41st Legislature, 2nd Called Session, 1929, as amended (Article 6675a-11, Vernon's Texas Civil Statutes), providing for fees and service charge of tax assessors-collectors for issuing license receipts and license plates in the registration of motor vehicles; providing a savings clause; repealing all laws in conflict herewith; and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Traeger:

S.B. 868, A bill to be entitled An Act relating to disqualification of members of governing boards of certain districts created under Article III, Section 52, and Article XVI, Section 59, of the Texas Constitution; amending Sections 50.024, 51.0721, 53.0631, and 54.1021, Water Code; providing a penalty; and declaring an emergency.

To Committee on Natural Resources.

By Senator Clower:

S.B. 869, A bill to be entitled An Act relating to the taxation and regulation of the coin-operated machine industry; amending Sections 1 and 4, and adding Section 8, Chapter 587, Acts of the 62nd Legislature, Regular Session, 1971, as amended (Article 4413(41), Vernon's Texas Civil Statutes); amending Chapter 13, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency.

To Committee on State Affairs.

By Senator Doggett:

S.B. 870, A bill to be entitled An Act providing for additional duties of the Texas Department of Community Affairs; providing for one additional member of the Advisory Council on Community Affairs; providing for contracting with federal, state and local departments and agencies and private entities under specified conditions; amending Sections 4, 6, and 13, Chapter 879, Acts of the 62nd Legislature, Regular Session, 1971, as amended (Article 4413 (201), Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on State Affairs.

By Senator Doggett:

S.B. 871, A bill to be entitled An Act amending Article 3.51 of the Texas Insurance Code by adding thereto Article 3.51-5, authorizing and relating to the payment of group life and health insurance premiums with respect to retirements or deaths occurring before the effective date of this Act by members of the Texas Central Education Agency, the Texas Rehabilitation Commission, and the Coordinating Board, Texas College and University System; making provisions to pay such premiums, prescribing conditions and limitations pertaining thereto; and declaring an emergency.

To Committee on Economic Development.

By Senators Aikin and Adams:

S.B. 872, A bill to be entitled An Act amending Article 6550(a), Revised Civil Statutes of Texas, 1925, concerning the Board of Managers of the Texas State Railroad; transferring to the General Land Office certain powers, duties, functions, property and records of the Board of Managers of the Texas State Railroad; abolishing the Board of Managers of the Texas State Railroad; and declaring an emergency.

To Committee on State Affairs.

By Senator Aikin:

S.B. 873, A bill to be entitled An Act abolishing the Board of County and District Road Indebtedness; transferring all powers and duties of the Board of County and District Road Indebtedness on the effective date of this Act to the comptroller of public accounts; providing an effective date and method for transfer; and declaring an emergency.

To Committee on Finance.

By Senator Aikin:

S.B. 874, A bill to be entitled An Act amending Chapter 512, Acts of the 54th Legislature, Regular Session, 1955, as amended (Article 548b, Vernon's Texas Civil Statutes); transferring all duties and records relating to prepaid funeral expenses from the Department of Banking to the Board of Insurance; and declaring an emergency.

To Committee on Economic Development.

By Senator Aikin:

S.B. 875, A bill to be entitled An Act relating to the licensing of physical therapists; amending Sections 1, 2, 4, and 5, Chapter 836, Acts of the 62nd Legislature, Regular Session, 1971 (Article 4512e, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Human Resources.

By Senator Harris:

S.B. 876, A bill to be entitled An Act relating to the duties of the State Board of Insurance; and declaring an emergency.

To Committee on Economic Development.

By Senator Harris:

S.B. 877, A bill to be entitled An Act relating to the assignment of peace officer status to municipal park and recreation patrolmen and security officers and providing for financial assistance to the surviving spouse and minor children of such person; amending Article 2.12, Code of Criminal Procedure, 1965; amending Subdivision (2) of Subsection (a), Section 2, Chapter 86, Acts of the 60th Legislature, Regular Session, 1967, as amended (Article 6228f, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on State Affairs.

By Senator Harris:

S.B. 878, A bill to be entitled An Act relating to the creation, administration, powers, duties, functions, and financing of the Farmers Branch-Carrollton Flood Control District of Dallas County, Texas; and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Patman:

S.B. 879, A bill to be entitled An Act amending Subchapter F, Chapter 50, Title 4, Texas Water Code, relating to the subject of annexation by certain districts; establishing a procedure for annexing land to such districts and providing for assumption of the district's indebtedness by the annexed area; containing other provisions relating to the subject; containing a severability clause; and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Adams:

S.B. 880, A bill to be entitled An Act relating to the regulation of the business of title insurance; amending Article 9.01, Insurance Code, as amended; amending Article 9.02, Insurance Code, as amended; amending Article 9.06, Insurance Code, as amended; amending Article 9.07, Insurance Code, as amended; amending Article 9.09, Insurance Code, as amended; amending Article 9.11, Insurance Code, as amended; amending Article 9.13, Insurance Code, as amended; amending Article 9.14, Insurance Code, as amended; amending Article 9.15, Insurance Code, as amended; amending Article 9.19, Insurance Code, as amended; amending Article 9.25, Insurance Code, as amended; amending Article 9.30, Insurance Code, as amended; adding Article 9.48, Insurance Code, as amended; adding Article 9.49, Insurance Code, as amended; adding Article 9.50, Insurance Code, as amended; adding Article 9.51, Insurance Code, as amended; adding Article 9.52, Insurance Code, as amended; adding Article 9.53, Insurance Code, as amended; adding Article 9.54, Insurance Code, as amended; adding Article 9.55, Insurance Code, as amended; adding Article 9.56, Insurance Code, as amended; and declaring an emergency.

To Committee on Economic Development.

By Senators Doggett and Ogg:

S.B. 881, A bill to be entitled An Act relating to the transportation allowance for travel by certain state employees within their designated headquarters; amending Section 8, Chapter 231, Acts of the 56th Legislature, Regular Session, 1959 (Article 6823a, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on State Affairs.

By Senator Doggett:

S.B. 882, A bill to be entitled An Act relating to local option alcoholic beverage elections; adding Section 32a to Article I, Texas Liquor Control Act, as amended (Article 666-1, et seq., Vernon's Texas Penal Code); amending Section 40-B, Article I, Texas Liquor Control Act, as added (Article 666-40b, Vernon's Texas Penal Code); and declaring an emergency.

To Committee on State Affairs.

By Senators Doggett and Brooks:

S.B. 883, A bill to be entitled An Act relating to bicycle racing; amending Section 179, Uniform Act Regulating Traffic on Highways (Article 6701d, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Human Resources.

By Senator Hance:

S.B. 884, A bill to be entitled An Act relating to the statement of an amount of money in pleadings in actions claiming relief on account of personal injury or wrongful death; repealing laws in conflict; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Hance:

S.B. 885, A bill to be entitled An Act relating to disposition of proceeds from the sale, barter, or exchange of crops resulting from agricultural activities of Texas Tech University; amending Chapter 109, Texas Education Code, by adding Section 109.49; and declaring an emergency.

To Committee on State Affairs.

By Senator Jones:

S.B. 886, A bill to be entitled An Act making a supplemental appropriation to the Texas State Technical Institute; and declaring an emergency.

To Committee on Finance.

By Senator Jones:

S.B. 887, A bill to be entitled An Act relating to the establishment, administration, and enforcement of a system of single, countywide appraisals of property for all property tax purposes; amending Title 122, Revised Civil Statutes of Texas, 1925, by adding Chapter 6A; and declaring an emergency.

To Committee on State Affairs.

By Senator Jones:

S.B. 888, A bill to be entitled An Act relating to the establishment, administration, and enforcement of a system of single, countywide appraisals of property for all property tax purposes; amending Title 122, Revised Civil Statutes of Texas, 1925, by adding Chapter 6A; and declaring an emergency.

To Committee on State Affairs.

By Senator Jones:

S.B. 889, A bill to be entitled An Act authorizing the Comptroller in certain instances to grant a reasonable extension of time for a person to file a tax return, and authorizing the Comptroller to determine if penalty and interest are due and payable; amending Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, as amended, as follows: adding a Section (h) to Article 1.13; providing for an effective date; and declaring an emergency.

To Committee on State Affairs.

By Senator Jones:

S.B. 890, A bill to be entitled An Act providing where the person required to file any report required under this Title exercised reasonable diligence penalty and interest shall not be due and payable; amending Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, as amended, as follows: adding an Article 1.13A; providing an effective date; and declaring an emergency.

To Committee on State Affairs.

By Senator Jones:

S.B. 891, A bill to be entitled An Act authorizing the Parks and Wildlife Department to exchange property used as fish hatcheries for adjoining land; providing for the sale of real property or interest therein acquired for state parks, historic sites,

scientific areas, fish hatcheries, or wildlife management areas when no longer suitable for such purposes; amending Sections 1 and 2, and adding Section 1A, Chapter 309, Acts of the 62nd Legislature, Regular Session, 1971 (Article 978f-4a, Vernon's Texas Penal Code); and declaring an emergency.

To Committee on State Affairs.

By Senator Jones:

S.B. 892, A bill to be entitled An Act relating to amendment of the Statute of Frauds to make it applicable to agreements, promises, contracts, or warranties of results of medical treatment, denying any action based on such agreements, etc., unless in writing and signed by the party to be charged therewith; and declaring an emergency.

To Committee on Human Resources.

By Senator Jones:

S.B. 893, A bill to be entitled An Act amending Section 15 of Article 21.28-C, Texas Insurance Code, as amended, to provide that all amounts paid by each insurer on assessments under this Act shall be allowed to such insurer as a credit against its premium tax; to further provide for certain optional manners in which such credit may be taken by the insurer; and declaring an emergency.

To Committee on Economic Development.

By Senator Clower:

S.B. 894, A bill to be entitled An Act permitting the qualified voters of a county to grant the commissioners court ordinance-making authority; and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senators Doggett and Brooks:

S.B. 895, A bill to be entitled An Act relating to the extension of minimum standards of sanitation and health protection measures to jails and other correctional institutions operated by the state and any county or city within the state; amending Section 19(c), Chapter 178, Acts of the 49th Legislature, Regular Session, 1945, as amended (Article 4477-1, Vernon's Texas Civil Statutes); adding Subsection (d) to Section 19, Chapter 178, Acts of the 49th Legislature, Regular Session, 1945, (Article 4477-1, Vernon's Texas Civil Statutes); amending Section 24, Chapter 178, Acts of the 49th Legislature, Regular Session, 1945, (Article 4477-1, V.T.C.S.); and declaring an emergency.

To Committee on Human Resources.

By Senator Mauzy:

S.B. 896, A bill to be entitled An Act relating to settlement and release of liability; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Doggett:

S.B. 897, A bill to be entitled An Act relating to payroll deductions from wages and salaries of county employees in counties having 20,000 or more population, amending Article 2372h-4, Revised Civil Statutes of Texas, 1925; and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Williams:

S.B. 898, A bill to be entitled An Act relating to the responsibility for the administration and enforcement of state building standards designed to aid and assist

the physically handicapped with respect to buildings and facilities under the jurisdiction and control of the Board of Regents of the University of Houston, the Board of Regents of Texas A&M University, and the Board of Regents of Texas Tech University; amending Section 20, Chapter 324, Acts of the 61st Legislature, Regular Session, 1969, as amended, by adding a new subsection (g); repealing all laws in conflict; and declaring an emergency.

To Committee on State Affairs.

By Senator Mauzy:

S.B. 899, A bill to be entitled An Act relating to the definition of textbooks as provided for in Chapter 12 of the Texas Education Code; amending Chapter 12 of the Texas Education Code; and declaring an emergency.

To Committee on Education.

By Senator Andujar:

S.B. 900, A bill to be entitled An Act relating to the authority of the Texas Aeronautics Commission to issue certificates of service and designate service from airports; amending Article 46c, Revised Civil Statutes of Texas, 1925, as amended, by adding a new Section 6a; and declaring an emergency.

To Committee on Economic Development.

By Senator Farabee:

S.B. 901, A bill to be entitled An Act amending Article 46.02, Code of Criminal Procedure, as amended, relating to the determination of the competency of a defendant to stand trial in a criminal proceedings; providing for the disposition of incompetent defendants; providing for crediting time of confinement in a mental hospital on a criminal sentence; adding a new Article 46.03, Code of Criminal Procedure, as amended, relating to the insanity defense; amending Article 42.07, Code of Criminal Procedure, as amended, providing for severability; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Farabee:

S.B. 902, A bill to be entitled An Act amending Sections 31, 36, 41, 44, 45, 68, and 69 of Chapter 243, Acts of the 55th Legislature, Regular Session, 1957, (codified as Articles 5547-31, 5547-36, 5547-41, 5547-44, 5547-45, 5547-68, and 5547-69 of Vernon's Annotated Texas Civil Statutes); and declaring an emergency.

To Committee on Jurisprudence.

By Senator Farabee:

S.B. 903, A bill to be entitled An Act relating to compensation of members of the Board of Public Welfare; amending Subdivision (3), Section 2, The Public Welfare Act of 1941, as amended (Article 695c, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on State Affairs.

By Senators Ogg and Clower:

S.B. 904, A bill to be entitled An Act relating to the creation, financing, powers, and duties of regional transit authorities and interlocal transit agencies; and declaring an emergency.

To Committee on Economic Development.

By Senator Ogg:

S.B. 905, A bill to be entitled An Act amending Articles 5069-12.01, 5069-12.15, 5069-12.16, 5069-12.17, Vernon's Texas Civil Statutes; and declaring an emergency.

To Committee on Economic Development.

By Senator Ogg:

S.B. 906, A bill to be entitled An Act relating to the use of geographic factors in setting motor vehicle insurance rates; amending Article 5.01, Insurance Code, as amended, and Section 1, Chapter 50, Acts of the 53rd Legislature, Regular Session, 1953 (Article 5.77, Vernon's Texas Insurance Code); and declaring an emergency.

To Committee on Economic Development.

By Senator Ogg:

S.B. 907, A bill to be entitled An Act relating to the teaching of the Spanish language in certain school districts; amending Subchapter D, Chapter 21, Texas Education Code, by adding Section 21.120; and declaring an emergency.

To Committee on Education.

By Senator Ogg:

S.B. 908, A bill to be entitled An Act relating to control of certain outdoor advertising near the interstate or primary highway systems; amending Section 2, Subsection A of Section 4, Subsection A of Section 5, and Subsection A of Section 6, Highway Beautification Act (Article 6674v-1, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Ogg:

S.B. 909, A bill to be entitled An Act relating to the duties of the Comptroller of Public Accounts pursuant to Chapter 356, Acts of the 52nd Legislature, Regular Session, 1951, as amended (Article 6252-6 Vernon's Texas Civil Statutes); Chapter 302, Acts of the 56th Legislature, Regular Session, 1959 (Article 6252-6a); and Chapter 414, Acts of the 55th Legislature, Regular Session, 1957 as amended (Article 666, Vernon's Texas Civil Statutes), transferring duties relating to the accounting and responsibility for the use of State property to the State Board of Control; and declaring an emergency.

To Committee on State Affairs.

By Senators Ogg and Harris:

S.B. 910, A bill to be entitled An Act relating to investment of assets of separate variable annuity accounts by life insurance companies; amending Section 8, Article 3.72, Insurance Code; and declaring an emergency.

To Committee on Economic Development.

By Senator Ogg:

S.B. 911, A bill to be entitled An Act creating a state neighborhood preservation loan fund to make loans for the rehabilitation of residential housing occupied or owned by persons and families of low income within neighborhood preservation areas defined in approved neighborhood preservation plans of local units of government; and declaring an emergency.

To Committee on State Affairs.

By Senators Ogg and Harris:

S.B. 912, A bill to be entitled An Act amending Article 3.39, Part II, Section A, Subsection 1, of the Texas Insurance Code to provide for a percentage limitation on the individual and aggregate amounts that may be invested in first liens upon real estate; and declaring an emergency.

To Committee on Economic Development.

By Senators Ogg and Harris:

S.B. 913, A bill to be entitled An Act to amend Paragraph 5, Section 1, Article 3.02, Texas Insurance Code, by changing the capital and surplus requirements for the incorporation of certain insurers; to amend Section 2 of Article 3.02, Texas Insurance Code, to provide an exemption from such requirements for certain insurers; and declaring an emergency.

To Committee on Economic Development.

By Senator Ogg:

S.B. 914, A bill to be entitled An Act relating to including in the list of peace officers certain persons commissioned by school districts as authorized by Section 21.483, Texas Education Code; amending Article 2.12, Code of Criminal Procedure, 1965, as amended; and declaring an emergency.

To Committee on State Affairs.

By Senator Ogg:

S.B. 915, A bill to be entitled An Act relating to the compensation of the judges of certain special juvenile courts and domestic relations courts; and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Harrington:

S.B. 916, A bill to be entitled An Act relating to protective services for elderly persons; amending the Family Code by adding a Title 4; and declaring an emergency.

To Committee on Jurisprudence.

By Senators Ogg and Clower:

S.B. 917, A bill to be entitled An Act relating to mass transportation; amending Article 6663, 6664, 6665, and 6669, Revised Civil Statutes of Texas, 1925, as amended; adding Subsection (4-d) to Section 2, Article XX, Chapter 184, Acts of the 47th Legislature, Regular Session, 1941, as amended (Article 7083a, Vernon's Texas Civil Statutes); amending Chapter 615, Acts of the 61st Legislature, Regular Session, 1969 (Article 4413(34), Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Economic Development.

By Senators Ogg and Clower:

S.B. 918, A bill to be entitled An Act relating to the handling of certain state and federal funds appropriated, granted, or allocated for the planning, development, acquisition, subsidizing, and operation of public mass transportation and the allocation of revenue from the motor vehicle sales and use tax; adding Article 6.07A, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency.

To Committee on State Affairs.

By Senators Ogg and Harris:

S.B. 919, A bill to be entitled An Act amending the provisions of The Securities Act, Chapter 269, Acts of the 55th Legislature, Regular Session, 1957, as amended (Article 581-1 et seq., Vernon's Texas Civil Statutes), by adding a new Section 13-1, providing that certain brokers and dealers shall not be subject to the limitations or provisions of Title 79, Revised Civil Statutes of Texas, 1925, as amended, on demand debit balances in accounts carried for their customers under certain circumstances; setting maximum permissible interest rates for such transactions; and declaring an emergency.

To Committee on Economic Development.

By Senator Ogg:

S.B. 920, A bill to be entitled An Act relating to the establishment, jurisdiction, and operation of municipal courts of record in the City of Houston and providing for municipal judges and other personnel of the courts; prescribing the appeals from municipal courts of record; providing an effective date; and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Ogg:

S.B. 921, A bill to be entitled An Act relating to the power and authority of certain courts to grant probation; extending the availability of probation to all misdemeanor offenses; amending Article 42.13, Code of Criminal Procedure, 1965, as amended; amending Subsections (b) and (c) of Section 21, and Subsection (b) of Section 22, Chapter 173, Acts of the 47th Legislature, 1941, as amended (Article 6687b, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Jurisprudence.

By Senators Ogg and Harris:

S.B. 922, A bill to be entitled An Act to amend Article 2.02, Paragraph 4, Texas Insurance Code, by changing the capital and surplus requirements for the incorporation of certain insurers; to amend Article 2.02, Texas Insurance Code, by adding thereto a new Paragraph 5 providing for exemption from such requirements for certain insurers; and declaring an emergency.

To Committee on Economic Development.

By Senator Moore:

S.B. 923, A bill to be entitled An Act relating to the definition of group accident and health insurance; providing conditions for eligible employers and employees; providing for payment of benefits to a beneficiary; establishing conditions for reimbursement of certain claims; providing for reasonable benefits, rates, and experience; providing for policy approval; amending the powers of the State Board of Insurance and the Commissioner of Insurance regarding certain policy approval procedures; defining blanket accident insurance; providing for designation of a beneficiary under blanket accident insurance; establishing liability; excluding certain groups; providing for the issuance of rules and regulations; and declaring an emergency.

To Committee on Economic Development.

By Senator Moore:

S.B. 924, A bill to be entitled An Act relating to standards for licensing nursing home administrators and grounds for revocation, suspension, and refusal to renew a license; amending Sections 6 and 11, Texas Nursing Home Administrators Licensure Act (Article 4442d, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Human Resources.

By Senator Moore:

S.B. 925, A bill to be entitled An Act relating to the authority of the State Board of Insurance and the state fire marshal appointed by the board over the regulation of fire alarm and fire detection devices and systems, the investigation of arson, and implementation of other laws, rules, and regulations concerning the state fire marshal; amending Chapter 5, Insurance Code, as amended by adding Article 5.43-2; amending Chapter 1, Insurance Code, as amended by adding Article 1.09A; repealing Subsection (b), Article 1.09, Insurance Code; providing a penalty; and declaring an emergency.

To Committee on Economic Development.

By Senator Gammage:

S.B. 926, A bill to be entitled An Act relating to the method of filing cases in the Probate Court Nos. 1 and 2 of Harris County; amending Section 4, Chapter 520, Acts of the 51st Legislature, Regular Session, 1949, as amended (Article 1970-110a.2, Vernon's Texas Civil Statutes) and repealing Section 13; and creating an emergency.

To Committee on Intergovernmental Relations.

By Senator Hance:

S.B. 927, A bill to be entitled An Act relating to the conveyance or dedication of certain rights, title, rights-of-way, or easements by the Board of Regents of Texas Tech University or Texas Tech University School of Medicine to a utility company or utility provided to provide utility services to Texas Tech University School of Medicine; adding Section 109.48 to Chapter 109 and Section 110.11 to Chapter 110, Texas Education Code; and declaring an emergency.

To Committee on Education.

By Senator Hance:

S.B. 928, A bill to be entitled An Act relating to bringing a child into the state for placement for adoption; repealing Sections 6 and 7, Chapter 194, General Laws, Acts of the 42nd Legislature, 1931 (Article 695a, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Jurisprudence.

By Senator Mauzy:

S.B. 929, A bill to be entitled An Act relating to the use of state and county available funds for meeting local education facility and equipment needs; amending Chapter 20, Texas Education Code, by changing Section 20.48(b); and by declaring an emergency.

To Committee on Education.

By Senator Traeger:

S.B. 930, A bill to be entitled An Act relating to compensation paid to the owners of cattle exposed to bovine brucellosis; and declaring an emergency.

To Committee on Natural Resources.

By Senators Traeger and Doggett:

S.B. 931, A bill to be entitled An Act relating to certain unauthorized uses of food stamp coupons and of authorizations to purchase food stamp coupons; providing penalties; amending the Public Welfare Act of 1941 (Article 695c, Vernon's Texas Civil Statutes), by adding Section 7-B; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Santiesteban:

S.B. 932, A bill to be entitled An Act providing for a state-wide uniform bail bond form; amending Chapter 17 of the Code of Criminal Procedure, 1965, as amended, by adding Article 17.081; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Santiesteban:

S.B. 933, A bill to be entitled An Act providing for the regulation of attorneys who write bail bonds, prohibiting both legal representation and acting as a surety for any person charged with a criminal offense under the laws of this state by any attorney or any partner, associate, servant, agent or employee of any such attorney and to provide for the licensing of attorneys under the provisions of this Act; to broaden the coverage of this Act to counties with a population of more than 50,000, by excluding

counties having a population of less than 50,000 according to the last preceding federal census; to provide authority for sheriffs to require title insurance policies or a title opinion covering real property utilized by bondsmen as their bail security; to provide for judgments of remittance; to provide that the affidavit executed for surrender of the principal by the bail bondsmen must be one based on probable cause; to provide that no person can execute a bail bond without a license as authorized under this Act; to prohibit any bondsmen from recommending any attorney; to provide for misdemeanor penalties for violations of this Act; amending Section 3, Subsection (g) of Section 5, Subsection (2) of Subsection (d) of Section 6, Subsection (a) of Section 12, Section 13 and Section 15 of Chapter 550, Acts of the 63rd Legislature (Article 2372p-3, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Jurisprudence.

By Senator Santiesteban:

S.B. 934, A bill to be entitled An Act providing for the payment of a bail bond fee to be in the form of cash, check, money order, or a motor vehicle accompanied by a certificate of title; requiring the registration of chattels used as payment of the fee; amending Article 17.15 of the Code of Criminal Procedure, 1965; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Santiesteban:

S.B. 935, A bill to be entitled An Act relating to the authority of the School Land Board for a limited time to acquire certain interests in land by trading interests in Public Free School Fund Lands with certain requirements; requiring a report to the legislature; amending Sections 1, 2, and 3, Chapter 590, Acts of the 63rd Legislature, Regular Session, 1973 (Article 5421c-13, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on State Affairs.

By Senator Gammage:

S.B. 936, A bill to be entitled An Act relating to the authority of certain counties to regulate the use of land, construction or alteration of structures, and development in areas outside the limits of incorporated cities and towns; providing penalties; repealing Chapter 436, Acts of the 55th Legislature, Regular Session, 1957, as amended (Article 6626a, Vernon's Texas Civil Statutes); repealing Chapter 151, Acts of the 52nd Legislature, 1951 (Article 2372k, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Ogg:

S.B. 937, A bill to be entitled An Act amending Article 1659a of the Revised Civil Statutes of the State of Texas, 1925, as amended, relating to the procedure by which counties having a population of eight hundred thousand (800,000) or more according to the last preceding or any future Federal Census shall purchase supplies and materials.

To Committee on Intergovernmental Relations.

By Senator Ogg:

S.B. 938, A bill to be entitled An Act repealing Sections 9 and 10 of the Harris County Road Law, Acts 1913, Thirty-third Legislature, Regular Session, Special Laws, Page 64, Chapter 17, as amended.

To Committee on Intergovernmental Relations.

By Senator Mauzy:

S.B. 939, A bill to be entitled An Act relating to a comprehensive program for child care and child abuse services; creating the Texas Children and Youth Services Council; transferring certain duties, functions, and property of the Texas Youth Council, the State Department of Public Welfare, the State Department of Mental Health and Mental Retardation, and the Texas Department of Community Affairs; and declaring an emergency.

To Committee on Human Resources.

By Senator Clower:

S.B. 940, A bill to be entitled An Act relating to the chartering, organization, procedure, powers, regulation, and supervision of credit unions; providing penalties; amending Chapter 186, Acts of the 61st Legislature, Regular Session, 1969, as amended (Articles 2461-1 et seq., Vernon's Texas Civil Statutes); repealing Article 2.05, Title 79, Revised Civil Statutes of Texas, 1925, as amended (Article 5069-2.05, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Economic Development.

By Senator Clower:

S.B. 941, A bill to be entitled An Act relating to requiring certain information relating to the payment of property taxes on mobile homes to be presented to holders of certificates and permits issued by the Railroad Commission of Texas before the moving or transporting of a mobile home; providing for records; providing for revocation of certificates of convenience and necessity and certain permits; amending Chapter 314, Acts of the 41st Legislature, Regular Session, 1929, as amended (Article 911b, Vernon's Texas Civil Statutes), by adding Section 21a; and declaring an emergency.

To Committee on Economic Development.

By Senator Harris:

S.B. 942, A bill to be entitled An Act relating to the issuance, refunding, and authorization procedure for bonds by any city, hospital district, and hospital authority; amending Sections 1, 2, and 4, Chapter 627, Acts of the 63rd Legislature, Regular Session, 1973 (Article 1118n-11, Vernon's Texas Civil Statutes), as amended; and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Adams:

S.B. 943, A bill to be entitled An Act relating to child support collection and paternity determination services; amending Section 18-B, The Public Welfare Act of 1941, as amended (Article 695c, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Human Resources.

By Senator Traeger:

S.B. 944, A bill to be entitled An Act appropriating state funds to the Coordinating Board, Texas College and University System, for allocation to a junior college district to establish an occupational extension center; providing for the use of federal funds for the center; and declaring an emergency.

To Committee on Finance.

By Senator Lombardino:

S.B. 945, A bill to be entitled An Act amending Article 21.11-2, Texas Insurance Code of 1951, as amended, by changing the obligation of an agent to remit premiums, under certain circumstances, and declaring an emergency.

To Committee on Economic Development.

By Senator Lombardino:

S.B. 946, A bill to be entitled An Act relating to the offense of gambling by participants in a game; amending Subsection (a) of Section 47.02, Penal Code; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Lombardino:

S.B. 947, A bill to be entitled An Act relating to the requirement that state agencies purchase goods manufactured or produced in the United States; amending Section 1, Chapter 303, Acts of the 55th Legislature, Regular Session, 1957 (Article 664-2, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on State Affairs.

By Senator Ogg:

S.B. 948, A bill to be entitled An Act relating to the regulation of the practice of plumbing and the membership of the Texas State Board of Plumbing Examiners; amending the Plumbing License Law of 1947, as amended (Article 6243-101, Vernon's Texas Civil Statutes), by amending Sections 3 and 4, and adding Sections 14A and 14B; providing penalties; and declaring an emergency.

To Committee on State Affairs.

By Senator Snelson:

S.B. 949, A bill to be entitled An Act relating to the authority and capability of the Central Education Agency to promote and improve educational accountability as a means of determining the degree of attainment of policy commitments, analyzing the effectiveness of the results of educational programs in relation to their costs, and reporting these findings to policy boards, management, and the public; and further establishing that educational accountability begins with self-accountability by the Central Education Agency, the regional education service centers, school districts, and other organizations and agencies responsible for the quality of public education programs and the achievement of educational goals; amending Section 11.26, Texas Education Code, as amended, by adding Subsection (d); and declaring an emergency.

To Committee on Education.

By Senator Snelson:

S.B. 950, A bill to be entitled An Act providing for definitions, examination and approval of electronic voting systems by the Secretary of State, adoption by Commissioners Court of electronic voting systems, experimental use of electronic voting systems, payment for voting equipment or automatic tabulating equipment, use of electronic voting systems for absentee voting, the form of the ballot, preparation of the ballot and program and procedure while the polls are open, amending Section 80, Subdivisions 2, 3, 5, 6, 8 Paragraph (a), 9, 11, 11a and 18, Texas Election Code, (Article 7.15, Subdivisions 2, 3, 5, 6, 8 Paragraph (a), 9, 11, 11a and 18, Vernon's Texas Election Code); and declaring an emergency.

To Committee on State Affairs.

By Senator Snelson:

S.B. 951, A bill to be entitled An Act relating to regulation of child care facilities and child placing agencies by the State Department of Public Welfare; providing for licensing of certain child care facilities and child placing agencies; providing for licensing for certain solicitation of funds; providing a penalty; repealing Section 8(a), The Public Welfare Act of 1941, as amended (Article 695c, Vernon's Texas Civil Statutes); repealing the Texas Youth Camp Safety and Health Act (Article

44471, Vernon's Texas Civil Statutes); and declaring an emergency.
To Committee on Human Resources.

By Senator Doggett:

S.B. 952, A bill to be entitled An Act relating to public utility residential service and the assessment of late charges; and declaring an emergency.
To Committee on Economic Development.

By Senator Doggett:

S.B. 953, A bill to be entitled An Act relating to certain insurance policies covering the care and treatment of persons afflicted with chronic end-stage kidney disease; amending Section 2, Chapter 397, Acts of the 54th Legislature, Regular Session, 1955, as amended (Article 3.70-2, Vernon's Texas Insurance Code) by adding a new Subparagraph (E); providing for severability; providing a repealing clause; and declaring an emergency.

To Committee on Economic Development.

By Senator Doggett:

S.B. 954, A bill to be entitled An Act relating to authorizing the State Highway Department to construct and maintain bikeways; and declaring an emergency.
To Committee on State Affairs.

By Senator Meier:

S.B. 955, A bill to be entitled An Act amending Article 22.23, Insurance Code, as amended, authorizing stipulated premium companies possessing capital and unencumbered surplus of at least the combined total sum of \$100,000 to issue annuity contracts as authorized and permitted under the provisions of Chapter Three, Insurance Code; and declaring an emergency.

To Committee on Economic Development.

By Senator Meier:

S.B. 956, A bill to be entitled An Act relating to the right of visitation by a grandparent with a grandchild who has been adopted by another grandparent; amending Chapter 16, Family Code, by adding a new Section 16.13; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Clower:

S.B. 957, A bill to be entitled An Act relating to metropolitan rapid transit authorities; amending Subdivision (a), Section 2, Subdivision (g), Section 6, and Section 8, Chapter 141, Acts of the 63rd Legislature, Regular Session, 1973 (Article 1118x, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Economic Development.

By Senator Longoria:

S.B. 958, A bill to be entitled An Act amending Chapter 224, Acts of the 56th Legislature, Regular Session, 1959, as amended; clarifying the power of districts to enter into contracts and to issue bonds in accordance with the provisions of such act as amended; providing for severability; and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Longoria:

S.B. 959, A bill to be entitled An Act relating to regulation of air carriers; amending Subsection (e) of Section 1, and Subdivision 3 of Section 6, Chapter 344, Acts of the 49th Legislature, Regular Session, 1945, as amended (Articles 46c-1 and

46c-6, Vernon's Texas Civil Statutes); and declaring an emergency.
To Committee on Economic Development.

By Senator Longoria:

S.B. 960, A bill to be entitled An Act relating to regulation of air carriers; amending Section 1, and Section 6, Chapter 344, Acts of the 49th Legislature, Regular Session, 1945, as amended (Articles 46c-1 and 46c-6, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Economic Development.

By Senator Longoria:

S.B. 961, A bill to be entitled An Act relating to making Pan American University a component of The University of Texas System and changing the name of the institution to The University of Texas--Pan American; amending Chapter 112, Texas Education Code; and declaring an emergency.

To Committee on State Affairs.

By Senator Longoria:

S.B. 962, A bill to be entitled An Act relating to notification procedures to be followed by insurance companies; providing for forfeitures; and declaring an emergency.

To Committee on Economic Development.

By Senator Longoria:

S.B. 963, A bill to be entitled An Act to provide for the sale and return to Cameron County of 920 feet of causeway and certain submerged lands upon which same is located, as well as the lands, road system and swing bridge comprising the most southerly approach to the Queen Isabella causeway system heretofore operated by Cameron County and conveyed to, and accepted by, the Highway Department of the State of Texas, by Highway Department Minute Order No. 59893, dated August 31, 1967; prescribing the terms and conditions of such sale; and declaring an emergency.

To Committee on Administration.

By Senator Aikin:

S.B. 964, A bill to be entitled An Act providing for negotiation of an agreement with the Secretary of Health, Education and Welfare enabling the Commissioner of Health to make recommendations to the Secretary of Health, Education and Welfare with respect to capital expenditures in the construction of health care facilities and health maintenance organizations within this state; defining terms; requiring persons proposing capital expenditures as defined in the Act to obtain a recommendation that the expenditures are consistent with standards, criteria or plans developed pursuant to certain federal acts, as defined herein; establishing methods of administration and control; authorizing the acceptance and expenditure of any grant, gift or contribution to assist in meeting the cost of carrying out the purposes of this Act; providing for cooperation with the public health planning regions and the Division of Hospital Survey and Construction of the Texas State Department of Health; repealing all laws in conflict; providing for severability; and declaring an emergency.

To Committee on Finance.

By Senator Brooks:

S.B. 965, A bill to be entitled An Act relating to the regulation of certain child care facilities and child placing agencies; establishing a Child Care Licensing Division in the State Department of Public Welfare; authorizing certain advisory committees; providing for licensing or certification of certain child care facilities and child placing agencies; providing sanctions and penalties for certain violations of this Act; repealing

Section 8(a), The Public Welfare Act of 1941, as amended (Article 695c, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Human Resources.

By Senator Brooks:

S.B. 966, A bill to be entitled An Act relating to the exemption of volunteer firemen enrolled in fire science courses from payment of tuition and laboratory fees at state-supported institutions of higher education; amending Section 54.208, Texas Education Code; and declaring an emergency.

To Committee on State Affairs.

By Senator Brooks:

S.B. 967, A bill to be entitled An Act relating to the manner of advertising sales of real estate under deeds of trust; providing for certain notice to the mortgagor and for avoidance of foreclosure by compliance with the contract; amending Article 3810, Revised Civil Statutes of Texas, 1925; and declaring an emergency.

To Committee on Economic Development.

By Senator Brooks:

S.B. 968, A bill to be entitled An Act relating to the establishment and operation of a community-based correctional system; making an appropriation; and declaring an emergency.

To Committee on State Affairs.

By Senator Brooks:

S.B. 969, A bill to be entitled An Act relating to the prevention of land subsidence through the prohibition and regulation of the withdrawal of underground water and the authorization of the Texas Water Rights Commission to enforce and carry out the provisions of this Act; amending the Texas Water Code by adding a Chapter 7; prescribing violations and civil penalties; and declaring an emergency.

To Committee on Natural Resources.

By Senator Farabee:

S.B. 970, A bill to be entitled An Act relating to approval of branch campuses, centers, or extension facilities of public junior college districts; amending Subsections (a), (b), (d), and (f), Section 130.086, Texas Education Code; and declaring an emergency.

To Committee on Education.

By Senator Hance:

S.B. 971, A bill to be entitled An Act limiting campaign contributions and expenditures with respect to candidates for certain offices and with respect to certain political committees, and regulating the handling and reporting of the contributions and expenditures; amending the Texas Election Code by adding Section 239A, 239B, and 240A; repealing Subsection (d), Section 11.22, Texas Election Code, as amended; and declaring an emergency.

To Committee on State Affairs.

By Senator Santiesteban:

S.B. 972, A bill to be entitled An Act allowing an alcoholic beverage permittee or licensee to pay a civil penalty rather than have his permit or license suspended; adding Section 12(c) to Article I, Texas Liquor Control Act, as amended (Article 666-1, et seq., Vernon's Texas Penal Code); and declaring an emergency.

To Committee on State Affairs.

By Senator Santiesteban:

S.B. 973, A bill to be entitled An Act relating to extending the hours for sale and consumption of alcoholic beverages during the period of the year in which daylight savings time is in effect; amending Subdivision (1), Subsection (c), Section 4, and Subsections (b), (c), and (e), Section 25 of Article I, and Subsection (e-1), Section 3, and Section 10 of Article II, and adding Section 25c to Article I, Texas Liquor Control Act, as amended (Articles 666-4, 666-25, 667-3, and 667-10, Vernon's Texas Penal Code); and declaring an emergency.

To Committee on State Affairs.

By Senator Santiesteban:

S.B. 974, A bill to be entitled An Act relating to guests of temporary members of Private Clubs; amending Subsection 1, Section 15(e), Article I, Texas Liquor Control Act, as amended (Article 666-15e, Vernon's Texas Penal Code); and declaring an emergency.

To Committee on State Affairs.

By Senator Santiesteban:

S.B. 975, A bill to be entitled An Act relating to the possession of certain beverages on, removal of certain beverages from, and service of alcoholic beverages away from the premises of a private club or mixed beverage establishment; amending Subsections 6a and 7 of Section 15(e), Subsection (g) of Section 20b, and Section 20c, Article I, Texas Liquor Control Act, as amended (Articles 666-15e, 666-20b, and 666-20c, Vernon's Texas Penal Code); and declaring an emergency.

To Committee on State Affairs.

By Senator Santiesteban:

S.B. 976, A bill to be entitled An Act relating to the fee for a Private Club Late Hours Permit; amending Section 15(f), Article I, Texas Liquor Control Act, as added (Article 666-15f, Vernon's Texas Penal Code); and declaring an emergency.

To Committee on State Affairs.

By Senator Gammage:

S.B. 977, A bill to be entitled An Act relating to the designation and operation of the state health planning and development agency; providing a process for the regulation and certification of the construction, expansion and modification of health care facilities and services; providing a penalty; and declaring an emergency.

To Committee on Human Resources.

By Senator Clower:

S.B. 978, A bill to be entitled An Act relating to the regulation of certain child care facilities; establishing a child care division of the State Department of Public Welfare, a child care facility regulatory council, and an advisory committee on child care facilities; providing for licensing of certain child care facilities, for certification of certain child care facilities, and for registration of certain child care facilities; providing sanctions and a penalty for violations of this act; providing an effective date; repealing Section 8(a), The Public Welfare Act of 1941, as amended (Article 695c, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Human Resources.

By Senator Clower:

S.B. 979, A bill to be entitled An Act relating to the authority of counties to regulate the use of land in unincorporated areas; prescribing penalties; and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Mauzy:

S.B. 980, A bill to be entitled An Act relating to establishing a hearing procedure by which the parents or guardians of exceptional children shall be assured due process in the identification, evaluation, and educational placement of their children; amending Section 16.16, Texas Education Code, as amended; repealing all laws in conflict; and declaring an emergency.

To Committee on Education.

By Senator Doggett:

S.B. 981, A bill to be entitled An Act relating to career education, vocational education, and rehabilitation programs and personnel for certain public school students; amending Subsections (d) and (f) of Section 16.16, Subsection (h) of Section 16.56, Section 21.107, Texas Education Code, as amended, and adding Subsections (i) and (j) to Section 16.14, Section 16.317, Subsection (c) to Section 21.111, and Subsection (f) to Section 21.1111; and declaring an emergency.

To Committee on Education.

By Senator Doggett:

S.B. 982, A bill to be entitled An Act relating to certain local retirement, disability, and death benefit systems; and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Harris:

S.B. 983, A bill to be entitled An Act relating to medical malpractice and the practice of medicine in the State of Texas, creating a mutual casualty insurance company for the issuance of professional liability insurance coverage to physicians in order to provide payment to injured parties for medical malpractice claims resulting from the rendering of or failure to render professional services by physicians or other authorized health care professionals; authorizing a tax on physicians to create the mutual casualty insurance company and means to collect the tax; granting certain tax deductions and exemptions; defining the scope of recovery and limiting the liability for certain injuries or acts; defining certain terms; and generally relating to medical malpractice and payment of claims therefor; and granting certain powers and duties to certain officials and offices in relation thereto; amending the insurance code, Chapter 15, as amended, by adding a new Article 15A and amending Chapter 6 of Title 71, Medicine (Article 4512, Vernon's Revised Civil Statutes) by adding a new Article 4512-1; and declaring an emergency.

To Committee on Economic Development.

By Senator Harris:

S.B. 984, A bill to be entitled An Act relating to the payment of commissions to professional corporations whose shareholders are duly licensed as life insurance agents; amending subsection (a), and (b), Section 3; Chapter 213, Acts of the 54th Legislature, Regular Session, 1955 (Article 21.07-1, Vernon's Texas Insurance Code); repealing all other laws in conflict; and declaring an emergency.

To Committee on Economic Development.

By Senator Ogg:

S.B. 985, A bill to be entitled An Act making appropriations for and directing payment of certain miscellaneous claims and judgments out of the General Revenue Fund and other funds designated herein; requiring approval of the claims in the manner specified in the Act before payment is made; providing for severability; repealing laws in conflict; and declaring an emergency.

To Committee on Finance.

By Senator Moore:

S.B. 986, A bill to be entitled An Act transferring all duties, powers, functions, responsibilities and authority of the Texas Amusement Machine Commission to the Comptroller of Public Accounts; abolishing the Texas Amusement Machine Commission; amending Article 13.17, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, as amended; repealing Article 44.13 (41), Vernon's Texas Civil Statutes; providing an effective date and declaring an emergency.

To Committee on State Affairs.

By Senator Ogg:

S.B. 987, A bill to be entitled An Act recodifying and reorganizing the Texas Election Code, as amended, repealing all laws in conflict herewith; and declaring an emergency.

To Committee on State Affairs.

By Senator Jones:

S.J.R. 55, Proposing an amendment to Sections 4 and 5, Article XI, Constitution of the State of Texas, to lower the minimum population required for a city to adopt or amend a home rule charter to include cities having more than 2,500 inhabitants; and providing for forfeiture of charters of cities whose population declines to 2,500 inhabitants or less.

To Committee on Texas Constitution.

By Senators Ogg and Clower:

S.J.R. 56, Proposing an amendment to Article XVI of the Texas Constitution by adding Section _____ to authorize the creation and financing and prescribe the powers and duties of regional transit authorities and interlocal transit agencies.

To Committee on Texas Constitution.

By Senator Jones:

S.J.R. 57, Proposing 10 amendments to the Texas Constitution; reorganizing and simplifying the present constitution; revising the separation of powers, legislative and executive provisions of the constitution; revising the judiciary provisions of the constitution; revising the local government provisions of the constitution; revising the education provisions of the constitution; revising the finance provisions of the constitution; revising the general provisions of the constitution; revising the voting and election requirements and mode of amending provisions of the constitution; providing for publicizing the proposed amendments; and providing for the secretary of state to number the propositions according to lot and to number articles and change cross-references in the constitution according to the amendments adopted by the electors of the state.

To Committee on Texas Constitution.

By Senator McKnight:

S.J.R. 58, Proposing a constitutional amendment to create the Budget Execution Board.

To Committee on Texas Constitution.

By Senator Gammage:

S.J.R. 59, Proposing an amendment to Article III, Section 44, Texas Constitution, to permit the payment of state funds on claims as to which the legislature has specifically waived the state's immunity from liability.

To Committee on Texas Constitution.

By Senator Traeger:

S.C.R. 38, Memorializing Congress of the United States to prevent any ban on the manufacture of firearms ammunition by the Federal Consumer Products Safety Commission.

To Committee on Administration.

By Senator Lombardino:

S.C.R. 39, Requesting Board of Control and all other state agencies to purchase only American-made goods and materials whenever feasible.

To Committee on Administration.

By Senator Snelson:

S.C.R. 40, Empowering Texas Legislative Council to enter into such interagency contracts with State Commission for the Blind as may be necessary to assist in fulfilling federal requirements for continuing statewide studies and to assure appropriate involvement of federal funds in such studies.

To Committee on Administration.

By Senator Clower:

S.C.R. 41, Memorializing President of the United States to do all necessary to enter into treaty with the Republic of Mexico concerning public transportation systems for cities along the international border.

To Committee on Administration.

By Senator Longoria:

S.C.R. 42, Granting South Padre Development Company, Inc., et al., permission to sue the State of Texas.

To Committee on Administration.

By Senator Gammage:

S.C.R. 43, Granting John R. Jenkins permission to sue the State of Texas.

To Committee on Administration.

By Senator Mengden:

S.R. 296, Creating Senate Interim Committee to study decentralization of state agencies.

To Committee on Administration.

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was referred to the Committee on State Affairs, Sub-Committee on Nominations:

Austin, Texas
March 17, 1975

TO THE SENATE OF THE SIXTY-FOURTH LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment effective April 1, 1975: To be District Judge of the 62nd Judicial District of Texas, Lamar, Delta, Franklin and Hopkins Counties, until the next general election and until his successor shall be duly elected and qualified: The

Honorable Jim Noble Thompson of Paris, Lamar County is replacing Judge Frank Wear, Sr. of Paris, Lamar County who resigned.

Respectfully submitted,
DOLPH ERISCOE
Governor of Texas

CO-AUTHOR OF SENATE BILL 433

On motion of Senator Braecklein and by unanimous consent, Senator Clower will be shown as Co-author of **S.B. 433**.

CO-AUTHOR OF SENATE BILL 438

On motion of Senator Moore and by unanimous consent, Senator Snelson will be shown as Co-author of **S.B. 438**.

CO-AUTHOR OF SENATE BILL 524

On motion of Senator Mengden and by unanimous consent, Senator McKnight will be shown as Co-author of **S.B. 524**.

SENATE BILL 216 ON SECOND READING

Senator Andujar asked unanimous consent to suspend the regular order of business and take up **S.B. 216** for consideration at this time.

There was objection.

Senator Andujar then moved to suspend the regular order of business and take up **S.B. 216** for consideration at this time.

The motion prevailed by the following vote: Yeas 26, Nays 1.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Kothmann, Lombardino, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Sherman, Snelson, Traeger and Williams.

Nays: Longoria.

Absent: Jones.

Absent-excused: Clower, Santiesteban and Schwartz.

The President laid before the Senate on its second reading and passage to engrossment:

S.B. 216, A bill to be entitled An Act relating to the establishment of the Texas College of Osteopathic Medicine as a separate institution under the governance of the Board of Regents of North Texas State University; amending Chapter 105, Texas Education Code, by adding Subchapter E; and declaring an emergency.

The bill was read second time.

Senator Andujar offered the following Committee Amendment to the bill:

Amend **S.B. 216** by inserting in Sec. 105.77 at the beginning of the first sentence the following:

"After approval of the Coordinating Board, Texas College and University System, the Board of Regents may execute"...

The Committee Amendment was read and was adopted.

Senator Andujar offered the following Committee Amendment to the bill:

Amend **S.B. 216**, as introduced, by adding the words "from any" after the word "and" at the end of the second sentence of Section 105.78 on page 3.

The Committee Amendment was read and was adopted.

Senator Snelson offered the following amendment to the bill:

Amend Senate Bill No. 216 by deleting therefrom the second full sentence of Section 105.72 where it appears in Section 1 of the bill, and substituting in lieu thereof the following:

"The site shall consist of land that shall be provided for such purpose without cost to the State of Texas."

The amendment was read and was adopted.

On motion of Senator Andujar and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

SENATE BILL 216 ON THIRD READING

Senator Andujar moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 216** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 1.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Sherman, Snelson, Traeger and Williams.

Nays: Longoria.

Absent-excused: Clower, Santiesteban and Schwartz.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 26, Nays 2.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Patman, Sherman, Snelson, Traeger and Williams.

Nays: Longoria and McKinnon.

Absent-excused: Clower, Santiesteban and Schwartz.

MESSAGE FROM THE HOUSE

Hall of the House of Representatives
Austin, Texas, March 17, 1975

Honorable William P. Hobby
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H.C.R. 11, Memorializing the Congress regarding the election of federal district judges.

H.C.R. 12, Relating to the Texas Association of Realtor's gift of \$50,000 to the State of Texas for the construction of a granite fountain and system of landscaped ponds.

H.C.R. 21, Resolving that the authority of Mountainview be transferred from the Texas Youth Council to the Texas Department of Corrections.

H.C.R. 26, Providing that Texas Highways be declared the official travel magazine of the State.

H.C.R. 34, Memorializing Congress to do away with the 100-year flood plain.

H.C.R. 89, In memory of Willard H. Rampy.

H.B. 57, A bill to be entitled An Act relating to county regulation of outdoor lighting, and subdivisions near major astronomical observatories; providing a penalty; and declaring an emergency.

H.B. 322, A bill to be entitled An Act relating to posting notice of existence of districts in certain districts created under Article III, Section 52, and Article XVI, Section 59, of the Texas Constitution; amending the Water Code by adding Section 50.303; and declaring an emergency.

H.B. 331, A bill to be entitled An Act relating to the consent of a city for the creation of a municipal utility district; amending Subsection (b), Section 54.016, Water Code; and declaring an emergency.

H.B. 328, A bill to be entitled An Act relating to filing audits of certain special districts; amending Subsection (c), Section 50.374, Water Code; and declaring an emergency.

H.B. 361, A bill to be entitled An Act relating to the office of the District Attorney of the 49th Judicial District and his office personnel; repealing Chapter 7, Acts of the 57th Legislature, Regular Session, 1961, as amended (Article 326k-38a, Vernon's Texas Civil Statutes); and declaring an emergency.

H.B. 497, A bill to be entitled An Act relating to eminent domain power of drainage districts; amending Subsection (a), Section 56.119, Water Code; and declaring an emergency.

H.B. 504, A bill to be entitled An Act relating to the liability of an attorney for costs in a civil proceeding; and declaring an emergency.

H.B. 508, A bill to be entitled An Act relating to the season for hunting quail in Refugio County; amending Section 1, Chapter 166, Acts of the 57th Legislature, Regular Session, 1961, as amended; and declaring an emergency.

H.B. 511, A bill to be entitled An Act relating to requiring that an alleged alcoholic be represented by an attorney in commitment proceeding; amending Subsection (c), Section 9, Chapter 411, Acts of the 53rd Legislature, Regular Session, 1953, as amended (Article 5561c, Vernon's Texas Civil Statutes); and declaring an emergency.

H.B. 611, A bill to be entitled An Act validating the consolidation of certain cities and the governmental proceedings of the consolidated cities, subject to certain conditions; and declaring an emergency.

H.B. 612, A bill to be entitled An Act relating to abolishing the office of county superintendent of schools in Medina County; and declaring an emergency.

H.B. 654, A bill to be entitled An Act relating to staggered terms for the boards of directors of municipal utility districts; amending Subsection (b), Section 54.103, Water Code, as amended; and declaring an emergency.

H.B. 690, A bill to be entitled An Act relating to the creation of the County Court at Law No. 2 of Bell County; making other provisions relative to the court; changing the name of the County Court at Law of Bell County; adding the judge of the County Court at Law No. 2 of Bell County to the membership of the Bell County Juvenile Board; amending Section 1, Chapter 120, Acts of the 58th Legislature, 1963 (Article 5139PP, Vernon's Texas Civil Statutes); amending Chapter 208, Acts of the 60th Legislature, Regular Session, 1967, as amended (Article 1970-350, Vernon's Texas Civil Statutes), by adding Section 1A; and declaring an emergency.

H.B. 707, A bill to be entitled An Act relating to the prohibition of the appointment or service of convicted felons as peace officers; amending Chapter 546, Acts of the 59th Legislature, Regular Session, 1965, as amended (Article 4413(29aa), Vernon's Texas Civil Statutes), by adding Section 8A; and declaring an emergency.

H.B. 865, A bill to be entitled An Act amending Section 24 of Chapter 35, Acts of the 53rd Legislature, 1st Called Session, 1954, as amended (Article 8280-160, Vernon's Texas Civil Statutes); providing for severability; and declaring an emergency.

H.B. 499, A bill to be entitled An Act amending Sections 1, 2, 2A, and 7, Chapter 172, Acts of the 45th Legislature, Regular Session, 1937 (Article 165-3, Vernon's Texas Civil Statutes), and deleting certain definitions which will be placed in the State Department of Health regulations in order to eliminate any future conflict

with federal definitions, relating to specifications and requirements for milk and milk products; and declaring an emergency.

Respectfully submitted,
DOROTHY HALLMAN
Chief Clerk, House of Representatives

MOTION TO PLACE SENATE BILL 228 ON SECOND READING

Senator Moore asked unanimous consent to suspend the regular order of business and take up **S.B. 228** for consideration at this time.

S.B. 228, A bill to be entitled An Act amending subparagraphs (h) and (i), Section 54.051, Texas Education Code, relating to tuition for students who are citizens of any country other than the United States of America; and declaring an emergency.

There was objection.

Senator Moore then moved to suspend the regular order of business and take up **S.B. 228** for consideration at this time.

The motion was lost by the following vote (Not receiving two-thirds vote of the Members present): Yeas 17, Nays 11.

Yeas: Andujar, Braecklein, Creighton, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Snelson and Tracger.

Nays: Adams, Aikin, Brooks, Doggett, Farabee, Gammage, Hance, Mauzy, Patman, Sherman and Williams.

Absent-excused: Clower, Santiesteban and Schwartz.

BILLS AND RESOLUTION SIGNED

The President announced the signing in the presence of the Senate after the caption had been read, the following enrolled bills and resolution:

S.B. 298
S.B. 225
S.B. 140
S.B. 89
S.C.R. 16

SENATE BILL 523 ON SECOND READING

On motion of Senator Creighton and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 523, A bill to be entitled An Act relating to an increase in the membership on the Texas Advisory Commission on Intergovernmental Relations; amending Section 5, Chapter 881, Acts of the 62nd Legislature, Regular Session, 1971 (Article 4413(32b), Vernon's Texas Civil Statutes); and declaring an emergency.

The bill was read second time.

Senator Creighton offered the following Committee Amendment to the bill:

Amend Senate Bill 523 by striking the last sentence of "Section 5" and substituting in lieu thereof the following: "The duties to be performed by each public official or employee appointed to the commission shall be considered duties in addition to those otherwise required by that person's office."

The Committee Amendment was read and was adopted.

Question - Shall the bill as amended be passed to engrossment?

SENATE BILL 455 ON SECOND READING

On motion of Senator Snelson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 455, A bill to be entitled An Act relating to the lease, sale, and trade of unsold state land; amending Article 5331, Revised Civil Statutes of Texas, 1925; and declaring an emergency.

The bill was read second time and was passed to engrossment.

SENATE BILL 455 ON THIRD READING

Senator Snelson moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 455** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 0.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Sherman, Snelson, Traeger and Williams.

Absent-excused: Clower, Santiesteban and Schwartz.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

SENATE BILL 456 ON SECOND READING

On motion of Senator Snelson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 456, A bill to be entitled An Act relating to the disposition of improvements on state land; amending Article 5337, Revised Civil Statutes of Texas, 1925; and declaring an emergency.

The bill was read second time and was passed to engrossment.

SENATE BILL 456 ON THIRD READING

Senator Snelson moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 456** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 0.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Sherman, Snelson, Traeger and Williams.

Absent-excused: Clower, Santiesteban and Schwartz.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

SENATOR ANNOUNCED PRESENT

Senator Clower who had previously been recorded as "Absent-excused" was announced "Present".

SENATE BILL 441 ON SECOND READING

On motion of Senator Moore and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 441, A bill to be entitled An Act making a supplemental appropriation to the Texas Transportation Institute of the Texas Engineering Experiment Station; and declaring an emergency.

The bill was read second time and was passed to engrossment.

SENATE BILL 441 ON THIRD READING

Senator Moore moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 441** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Sherman, Snelson, Traeger and Williams.

Absent-excused: Santiesteban and Schwartz.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Sherman, Snelson, Traeger and Williams.

Absent-excused: Santiesteban and Schwartz.

SENATE BILL 344 ON SECOND READING

Senator Williams asked unanimous consent to suspend the regular order of business and take up **S.B. 344** for consideration at this time.

There was objection.

Senator Williams then moved to suspend the regular order of business and take up **S.B. 344** for consideration at this time.

The motion prevailed by the following vote: Yeas 24, Nays 5.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, McKinnon, Meier, Mengden, Ogg, Sherman, Snelson, Traeger and Williams.

Nays: Creighton, Mauzy, McKnight, Moore and Patman.

Absent-excused: Santiesteban and Schwartz.

The President laid before the Senate on its second reading and passage to engrossment:

S.B. 344, A bill to be entitled An Act relating to the licensing and regulation of real estate brokers and real estate salesmen; providing for the Texas Real Estate Commission and defining its powers and duties; providing penalties; amending The Real Estate License Act, as amended (Article 6573a, Vernon's Texas Civil Statutes); and declaring an emergency.

The bill was read second time.

(Senator Patman in Chair)

Question on passage of the bill to engrossment, "Yeas" and "Nays" were demanded.

The bill was passed to engrossment by the following vote: Yeas 21, Nays 8.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Meier, Mengden, Ogg, Sherman, Traeger and Williams.

Nays: Creighton, Longoria, Mauzy, McKinnon, McKnight, Moore, Patman and Snelson.

Absent-excused: Santiesteban and Schwartz.

MOTION TO PLACE SENATE BILL 344 ON THIRD READING

Senator Williams moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 344** be placed on its third reading and final passage.

S.B. 344, A bill to be entitled An Act relating to the licensing and regulation of real estate brokers and real estate salesmen; providing for the Texas Real Estate Commission and defining its powers and duties; providing penalties; amending The Real Estate License Act, as amended (Article 6573a, Vernon's Texas Civil Statutes); and declaring an emergency.

The motion was lost by the following vote (Not receiving four-fifths vote of the Members present): Yeas 21, Nays 8.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Koithmann, Lombardino, Meier, Mengden, Ogg, Sherman, Traeger and Williams.

Nays: Creighton, Longoria, Mauzy, McKinnon, McKnight, Moore, Patman and Snelson.

Absent-excused: Santiesteban and Schwartz.

(President in Chair)

SENATE BILL 207 ON SECOND READING

On motion of Senator Brooks and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 207, A bill to be entitled An Act amending Section 80 of Chapter 243, Acts of the 55th Legislature, Regular Session, 1957 (codified as Article 5547-80 of Vernon's Texas Civil Statutes); authorizing the head of a mental hospital to discharge a resident patient absent without authority from a state hospital for the mentally ill for a continuous period of eighteen months; and declaring an emergency.

The bill was read second time.

Senator Brooks offered the following amendment to the bill:

Amend **S.B. 207** by striking all language below the enacting clause and substituting in lieu thereof the following:

Section 1. Section 80, Texas Mental Health Code (Article 5547-80, Vernon's Texas Civil Statutes), is amended to read as follows:

"Sec. 80. (a) The head of the mental hospital may at any time discharge a patient if he determines after examination that the patient no longer requires hospitalization.

"(b) The head of a mental hospital may at any time discharge a patient on furlough, and shall discharge a patient who has been on furlough status for a continuous period of eighteen (18) months.

"(c) The head of a mental hospital may discharge a non-resident patient who has been absent without authority for a continuous period of thirty (30) days.

"(d) The head of a mental hospital may discharge a resident patient who has been absent without authority for a continuous period of eighteen (18) months.

"(e) ~~((d))~~ Upon the discharge of a patient, the head of the mental hospital shall prepare a Certificate of Discharge stating the basis therefor. The Certificate of Discharge shall be filed with the committing court, if any, and a copy thereof delivered or mailed to the patient."

Sec. 2. Section 81, Texas Mental Health Code (Article 5547-81, Vernon's Texas Civil Statutes), is amended to read as follows:

"Sec. 81. (a) The discharge of a patient terminates the period of commitment; and a discharged patient shall not be again hospitalized other than in accordance with the provisions of this Code.

"(b) The discharge of a patient who has been found to be mentally incompetent terminates the presumption that he is mentally incompetent; provided, however, that the discharge pursuant to Section 80 (c) or (d) of this Code of a patient who has been found to be mentally incompetent shall not terminate the presumption that he is mentally incompetent."

Sec. 3. The importance of this legislation and the crowded condition of the calendars in both Houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The amendment was read and was adopted.

On motion of Senator Brooks and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

SENATE BILL 207 ON THIRD READING

Senator Brooks moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 207 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Sherman, Snelson, Traeger and Williams.

Absent-excused: Santiesteban and Schwartz.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

HOUSE BILLS AND RESOLUTIONS ON FIRST READING

The following bills and resolutions received from the House, were read the first time and referred to the Committees indicated:

H.B. 57, To Committee on Intergovernmental Relations.
H.B. 361, To Committee on Intergovernmental Relations.
H.B. 328, To Committee on Intergovernmental Relations.
H.B. 331, To Committee on Intergovernmental Relations.
H.B. 322, To Committee on Intergovernmental Relations.
H.B. 504, To Committee on Jurisprudence.
H.B. 508, To Committee on Natural Resources.
H.B. 497, To Committee on Intergovernmental Relations.
H.B. 611, To Committee on Intergovernmental Relations.
H.B. 511, To Committee on Jurisprudence.
H.B. 707, To Committee on Jurisprudence.
H.B. 690, To Committee on Intergovernmental Relations.
H.B. 654, To Committee on Intergovernmental Relations.
H.B. 612, To Committee on Intergovernmental Relations.
H.B. 865, To Committee on Intergovernmental Relations.
H.B. 499, To Committee on Human Resources.
H.C.R. 26, To Committee on Administration.
H.C.R. 21, To Committee on State Affairs.
H.C.R. 12, To Committee on Administration.
H.C.R. 34, To Committee on Administration.
H.C.R. 11, To Committee on Jurisprudence.

NOTICES OF INTENT

The following Notices of Intent were filed with the Secretary of the Senate:

Tuesday, March 18, 1975

S.C.R. 31 - Senator Andujar
S.B. 19 - Senator Andujar
C.S.S.B. 59 - Senator Ogg
C.S.S.B. 69 - Senator Moore
C.S.S.B. 109 - Senator Mauzy
C.S.S.B. 110 - Senator Mauzy
S.B. 228 - Senator Moore
S.B. 230 - Senator Adams
S.B. 231 - Senator Adams
S.B. 257 - Senator Mauzy
S.B. 342 - Senator Mauzy
S.B. 344 - Senator Williams (Third reading)
S.B. 518 - Senator Sherman
S.B. 519 - Senator Sherman
S.B. 559 - Senator Aikin

MEMORIAL RESOLUTION

S.R. 297 - By Senator Adams: Memorial resolution for Mrs. H. H. (Ethel) Dietz.